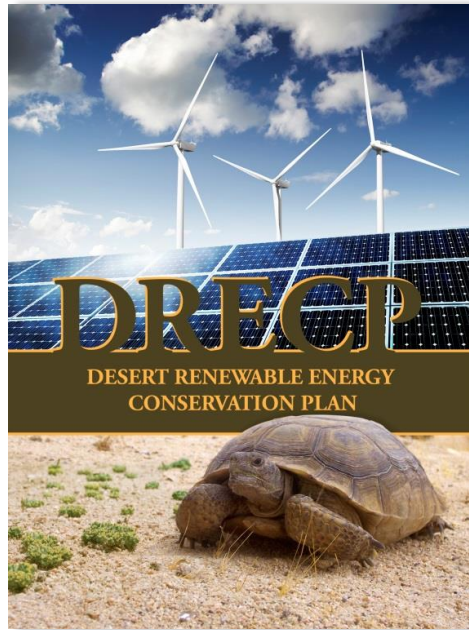


Desert Renewable Energy Conservation Plan Proposed Land Use Plan Amendment and Final Environmental Impact Statement

Volume V: Consultation, Coordination, and Public Participation



Prepared by:

U.S. Bureau of Land Management



In Partnership with:

California Energy Commission

California Department of Fish and Wildlife

U.S. Fish and Wildlife Service

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ACRONYM LIST

BA	Biological Assessment
BLM	Bureau of Land Management
BO	Biological Opinion
CBI	Conservation Biology Institute
CDCA	California Desert Conservation Area
CEC	California Energy Commission
CEQA	California Environmental Quality Act
DRECP	Desert Renewable Energy Conservation Plan
EIS	Environmental Impact Statement
HCP	Habitat Conservation Plan
LUPA	Land Use Plan Amendment
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
PA	Programmatic Agreement
REAT	Renewable Energy Action Team
USFWS	U.S. Fish and Wildlife Service

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V. CONSULTATION, COORDINATION, AND PUBLIC PARTICIPATION

This section describes the actions taken by BLM to ensure full participation by the public, tribal governments, and other agencies in the development of the Draft Renewable Energy Conservation Plan (DRECP) Proposed Land Use Plan Amendment (LUPA). The DRECP process has also involved an extensive stakeholder participation process, which is also described in this section.

The interagency Renewable Energy Action Team (REAT) that prepared the Draft EIR/EIS used consultation, coordination, and public participation to shape the DRECP, including the Proposed LUPA. Through this process, which is detailed below, the BLM determined that in order to meet its purpose and need and the multiple-use requirement of FLPMA, it would be necessary to modify the scope of the DRECP LUPA originally envisioned in the Notices of Intent, as that involvement highlighted concern that renewable energy development and biological conservation have impacts on other resources and uses in the California Desert. The REAT has continued to update the public as to the scope of the DRECP and provided opportunities beyond traditional NEPA and BLM Planning requirements throughout the process.

This Proposed LUPA and Final EIS represents the proposed decision by the BLM. Planning for private land will continue as the CEC, USFWS, and CDFW work with local governments. However, this Volume describes all public outreach by all REAT agencies, as the development of the Draft DRECP and EIR/EIS and public comment period was an integrated process, and the BLM has considered the results of the interagency outreach and interagency public comment period in developing the Proposed LUPA and Final EIS.

V.1 Public Participation

V.1.1 Public Scoping and Public Outreach

Under both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), “scoping” is a term used for the process of public involvement in determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.

V.1.1.1 *Scoping Process*

NEPA Notices of Intent. Three Notices of Intent were issued for the preparation of this Environmental Impact Statement (EIS). The Bureau of Land Management (BLM) published a Notice of Intent to prepare an EIS for a possible amendment to the California Desert Conservation Area (CDCA) Plan in the Federal Register on November 20, 2009 (74 FR 60291). The Notice of Intent invited interested members of the public to provide comments on the

CDCA issues and planning criteria related to the DRECP. Scoping ran from November 20, 2009 through December 21, 2009. No specific scoping comments were received during this 30-day period.

Subsequently, the BLM and U.S. Fish and Wildlife Service (USFWS) as co-lead agencies jointly published a Notice of Intent on July 29, 2011, (76 FR 45606) announcing their intent to prepare an EIS for the proposed DRECP. The USFWS expected the DRECP would be prepared to meet the requirements of the Section 10 Habitat Conservation Plan (HCP)¹ permitting process under the federal Endangered Species Act. In this same NOI, the BLM announced the joining of its EIS preparation for the possible CDCA Plan amendment with the USFWS's EIS for the DRECP HCP. The 2011 Notice of Intent provided dates and contact information for written comments on the scope of the EIS and published the dates, locations, and times for the public scoping meetings. Scoping meetings, receipt of comments, and the scoping report were merged with the CEQA Notice of Preparation process lead by the California Energy Commission.

The BLM published a third Notice of Intent on April 4, 2012 (77 FR 20409), amending the Nov. 20, 2009 and July 29, 2011 notices to include proposed amendments to the Bishop, Caliente/Bakersfield, and Eastern San Diego County Resource Management Plans in preparation of the DRECP and EIS. Comments received during this scoping period, April 4 through May 4, 2012 are not included in the scoping report for the July 29, 2011 scoping period, but are part of the entire scoping administrative record and were considered during preparation of the DRECP and EIS.

CEQA Notice of Preparation. Pursuant to CEQA, a Notice of Preparation for the joint EIR/EIS was submitted to the State Clearinghouse (Governor's Office of Planning and Research) and distributed to state agencies on July 29, 2011. The Notice of Preparation was distributed to elected officials, local and regional agencies, utility companies, Native American tribal representatives, the Department of Defense clearinghouse, selected Department of Defense representatives, and representatives of interest groups and associations. The Notice of Preparation announced the intent of the California Energy Commission (CEC) and the NEPA co-lead agencies (BLM and USFWS) to prepare the EIR/EIS for the DRECP. It provided dates and contact information for written comments on the scope of the EIR/EIS and the dates, locations, and times for the public scoping meetings.

The Renewable Energy Action Team (REAT) Agencies distributed a news release, dated July 28, 2011, to announce the beginning of the scoping process and the date, time, and location of three public scoping meetings. The news release was posted on the DRECP website (www.drecp.org) and distributed to numerous news outlets.

¹ The July 29, 2011, Notice of Intent referred to the HCP permitting process. The USFWS had not at that time developed the proposed General Conservation Plan approach for nonfederal lands in the DRECP. A General Conservation Plan is a programmatic type of HCP that meets Section 10 requirements.

Scoping Meetings. Three public scoping meetings were conducted for the EIR/EIS: one on August 16, 2011, in Ontario, California, and two on August 24, 2011, in Sacramento, California. In addition to attending the meeting in person, people could attend via the Internet or by telephone.

Each meeting began with a presentation followed by an open house during which attendees could discuss the plan and EIR/EIS with agency representatives. The presentation included an explanation of the DRECP process, the California Desert Conservation Area and other BLM planning actions, and CEQA/NEPA and the scoping process. The open house included information stations with agency and consultant staff available to answer questions.

Comment forms were made available at each scoping meeting and on the DRECP website. Written comments were accepted at each scoping meeting, as well as by mail and email. In total, 59 people attended the public scoping meetings: 46 in Ontario, 12 in Sacramento (afternoon), and one in Sacramento (evening).

Scoping Report. A Scoping Report was prepared for the DRECP (see Appendix J). It documents the process and issues raised during the public scoping period, as required by the Council on Environmental Quality's NEPA regulations (40 CFR 1501.7); the BLM Handbook, H-1790-1, Chapters 6.3, 9.1.3, and 10.2.10; the USFWS Manual, Part 550, Chapter 2.3 (550 FW 2.3); and Section 15082 of the CEQA Guidelines. The DRECP Scoping Report is the primary source for the summary of the scoping process presented in this volume.

V.1.1.2 Scoping Issues Raised by Commenters

Forty letters were received during the 2011 scoping period: eight letters from agencies, 23 from organizations, and nine from individuals. These letters included 325 discrete comments. Table V-1 identifies the number of comments by CEQA/NEPA process or environmental issue category.

**Table V-1
DRECP EIR/EIS Public Scoping Comments by Category**

Comment Category	Number Received	Percentage
Biological Resources	60	18.5
Alternatives and Distributed Generation	44	13.5
Outdoor Recreation	44	13.5
Project Description	42	12.9
Planned Land Uses and Policies	30	9.2
Environmental Impacts and Mitigation	21	6.5
Cumulative	14	4.3

Table V-1
DRECP EIR/EIS Public Scoping Comments by Category

Comment Category	Number Received	Percentage
CEQA/NEPA Process	12	3.7
Cultural Resources ¹	12	3.7
Groundwater, Water Supply, and Water Quality	12	3.7
Climate Change and Greenhouse Gases	11	3.4
Socioeconomics and Environmental Justice	7	2.2
Flood Hazard, Hydrology, and Drainage	4	1.2
Hazards and Hazardous Materials	4	1.2
Public Services, Safety Services, and Utilities	3	0.9
Air Quality and Attainment Status	2	0.6
Geology, Soils, and Minerals	2	0.6
EIR/EIS Format	1	0.3
Total	325	100

¹ Cultural Resources comments included comments on tribal interests and tribal consultation.

V.1.1.3 Consideration of Scoping Comments and Other Input Received

The lead agencies considered the scoping comments in developing the alternatives and analytical issues contained in the EIR/EIS; all comments received equal consideration.

Throughout the planning phase of the DRECP, agencies and stakeholders have suggested and refined a number of conservation and renewable energy development alternatives. Additionally, alternatives were identified during the public scoping process that occurred between July 29 and Sept. 12, 2011. The purpose of the public scoping period was to accept written comments providing suggestions and information on the scope of issues and alternatives to be addressed in the EIR/EIS. The REAT Agencies received 40 scoping letters, and 41 specific comments addressed alternatives. Several comments also addressed the geographic boundary of the DRECP area. The scoping comments are summarized in the DRECP Scoping Report (Appendix J).

Some of the suggested alternatives in the DRECP Scoping Report and from other agency and stakeholder comments were generally incorporated into the alternatives considered in Volume II of this document. Additionally, recommendations for plan development and EIR/EIS review were for the most part incorporated into the process. Some alternatives suggested by public comments were not described in sufficient detail to be considered or were outside the scope of the DRECP. Examples include:

- An energy-efficiency-only alternative

- An alternative that would incorporate more of San Diego County in the DRECP area
- An alternative that would include renewable energy development on military lands

Recommendations that the DRECP area exclude the region that overlaps the California condor range and critical habitat were considered but not carried forward (see Volume II, Chapter 8, for more detail).

V.1.2 Additional Opportunities for Public Comment before Publication of Draft EIR/EIS

After the close of the scoping periods, additional comments have been received and are available on the DRECP website, <http://www.drecp.org/documents/docs/comments-general>. These comments were also reviewed and considered in developing the EIR/EIS.

Since the close of the scoping periods, the agencies offered many other opportunities for public involvement throughout the process of preparing the DRECP. The DRECP project website (<http://www.drecp.org/>) was made available to the public to provide access to relevant project information and the opportunity to subscribe to the DRECP's email list for the project updates. Several key elements of the DRECP were also made available through the project website. These include background materials and presentations from the stakeholder meetings, comments received on the stakeholder meetings, science reviews, the baseline biological report, preliminary conservation strategy, independent science advisors documents, and general background information about the DRECP.

The comments submitting prior to the publication of the Draft EIR/EIS were shared with all agency staff and the consultants preparing the Draft EIR/EIS.

In December 2012, the REAT Agencies published the *Description and Comparative Evaluation of Draft DRECP Alternatives* to inform the public about the status of the DRECP alternatives. Members of the public were invited to provide input regarding the development scenarios, conservation designations, BLM Land Use Plan Amendment alternatives, as well as other specific elements presented. Specific to the LUPA, this document included maps showing existing and proposed "Desert Conservation Lands" (existing and proposed ACECs, proposed National Conservation Lands, and proposed Wildlife Allocations), and well as areas managed for recreation and existing and proposed SRMAs. The BLM also disclosed that the land use plan amendments would identify 1) desired outcomes expressed as specific goals and objectives and 2) allowable uses and management actions designed to achieve those specific goals and objectives. The public was especially encouraged to provide input about the differences among the alternatives.

Forty agencies, organizations, and individuals provided comments on this document, some providing multiple comments. In addition, three form letters were received, one regarding

the Lucerne Valley and Apple Valley areas (more than 60 comments received), one regarding the Morongo Basin communities, (almost 200 comments received) and one regarding the Silurian Valley (20 comments received).

Example concerns raised include:

- Specific concerns regarding the alternatives described in the document including the need for additional wind areas,
- Concerns regarding locations that were designated for conservation,
- Requests for clear conservation designations based on Biological Goals and Objectives,
- Concerns regarding availability of water for the development of renewable energy in the desert and concerns regarding cumulative groundwater pumping,
- Need for additional streamlining including meaningful permitting reduction timeframes,
- Concerns regarding conservation costs, and
- Need for a transmission plan to serve DFAs, among others.

This input was used to help select the alternatives included in the EIR/EIS.

V.1.3 Public Meetings on the Draft EIR/EIS

The original comment period for the Draft EIR/EIS was from September 26, 2014 to January 9, 2015. The comment period was extended to February 23, 2015.

On October 9, 2014, an informational webinar was held on the Draft EIR/EIS. Additional webinars were held on December 15 and 17, 2014. Public meetings to hear comments on the Draft EIR/EIS and to answer questions from the public were held as follows:

- Monday, October 20: El Centro, CA
- Tuesday, October 21: San Diego, CA
- Monday, October 27: Lone Pine, CA
- Tuesday, October 28: Ridgecrest, CA
- Wednesday, October 29: Victorville, CA
- Monday, November 3: Lancaster, CA
- Wednesday, November 5: Blythe, CA
- Thursday, November 6: Ontario, CA
- Friday, November 7: Palm Desert, CA
- Thursday, November 13: Sacramento, CA
- Wednesday, November 19: Joshua Tree, CA

The public was also encouraged to submit written comments in addition to their recorded oral comments. Written comments were accepted until the close of the formal comment period.

V.1.4 Notices Regarding Draft EIR/EIS

The NEPA process began with publication of a Notice of Availability in the *Federal Register* on March 26, 2010, announcing a 90-day public comment period (scoping) for the Draft EIR/EIS. The Federal Register notice of the availability of the Draft EIR/EIS was published on September 23, 2014. This notice included the initial January 9, 2015 end of the comment period. In addition, information on the availability of the Draft EIR/EIS and the public meetings was published in several newspapers in the DRECP area.

Notices were also posted on the interagency DRECP website and on the BLM's DRECP website at <http://www.blm.gov/ca/st/en/prog/energy/DRECP.html>.

On March 10, 2015, the BLM and its partner agencies announced the phased approach for completion of the DRECP, which begins with publication of this Final EIS.

When available, the BLM will publish a Notice of Availability announcing the availability of the Record of Decision and Approved LUPA Amendment.

V.1.5 Comments on Draft EIR/EIS

The BLM received 420 comment letters (including public comment forms from public meetings, postal letters, e-mails, and faxes) from individuals, agencies, organizations and groups during the public comment period on the Draft EIR/EIS. Comments were received from the following categories of commenters; the number following each commenter category indicates how many letters were received.

- Federal agencies (4)
- State agencies (7)
- Local agencies (27)
- Tribes (9)
- Organizations (135)
- Individuals (238)

In addition, transcripts of the 11 public meetings are included in the comments; hundreds of individual spoke at these meetings. Comment letters and meeting transcripts are presented in Appendix AA to this Final EIS, and responses to all comments are also presented in the same appendix.

V.2 Stakeholder Involvement

In March 2009, the REAT Agencies held scoping meetings on renewable energy and the implementation of Renewable Energy Executive Order S-14-08. These meetings were open to the public to provide input to the agencies on review and regulatory processes related to the siting of renewable energy infrastructure.

From June 2009 through 2013, the REAT Agencies held a series of public meetings to discuss the development of the DRECP. The meetings highlighted topics of special interest on which the REAT Agencies requested feedback. Comments on these topics were provided either in writing or verbally at the meetings. The meetings introduced some DRECP products in draft form with opportunities for written input. Table V-2 (presented at the end of this volume) lists the public meetings held and topics discussed.

As part of the meetings, the DRECP Stakeholder Committee was established. The Stakeholder Committee was composed of individuals from local governments, environmental organizations, electric utilities, renewable energy industry associations, renewable energy project developers, a coalition of Native American tribes, and off-highway vehicle associations. Federal and state agencies also participated in Stakeholder Committee meetings. A complete list of the Stakeholder Committee members is provided in Appendix A. Several topic-specific working groups within the Stakeholder Committee were formed to focus on the following areas: Focus Species, Resource Mapping, Covered Activities, and Transmission. While the Stakeholder Committee held some of the meetings in Table V-2, the general public was also invited to those. Additionally, the general public was offered opportunities to comment, make verbal comments during the meetings, submit written comments on these meetings, and can be found on the website at: <http://www.drecp.org/meetings/>.

V.3 Additional Outreach During EIR/EIS Preparation

V.3.1 Agency and Public Workshops

Since the initiation of the DRECP, the REAT Agencies have been invited to a number of public workshops to provide information and status updates regarding the DRECP process to the interested public and agencies. Examples of the workshops include county meetings in Independence, Inyo County; Lucerne Valley and Yucca Valley, San Bernardino County; the BLM California Desert District Advisory Council, and the California Off Highway Motor Vehicle Recreation Commission.

V.3.2 Data Basin Geographic Information System Tool

Data Basin (<http://www.drecp.databasin.org>) is a map-based, user-friendly conservation data sharing system, designed and maintained by the Conservation Biology Institute (CBI),

to support conservation decision making. Concurrent with the public workshops described previously, and to continue to facilitate public coordination on the DRECP, the REAT Agencies established a customized data viewing gateway for the DRECP on the DataBasin website at, (<http://www.drecp.databasin.org>). The DRECP Gateway on Data Basin allows individuals and organizations—including the DRECP stakeholders, local agencies, tribes, and the public—to explore and download the library of spatially explicit DRECP conservation datasets for the DRECP area, and to view and print selected data maps related to DRECP planning.

V.4 Agency Cooperation, Consultation, and Coordination

Federal agencies are required to consult with a variety of parties during preparation of an EIS. This section describes the results of that consultation. Cooperating agencies are described in Section V.4.1. Government-to-government consultation only takes places between a federal agency and a federally-recognized tribal government; this process is described in Section V.4.2.

V.4.1 Cooperating Agencies

Under NEPA, a “cooperating agency” includes any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative (40 CFR 1508.5). NEPA Cooperating agencies for the DRECP include

- National Park Service
- Department of Defense
- California Independent System Operator

In addition to these formal cooperating and responsible agencies, BLM has consulted with the following local agencies throughout the DRECP area: the City of Lancaster, the Town of Apple Valley; and Imperial, Riverside, San Bernardino, Kern, Inyo, Los Angeles, and San Diego counties.

V.4.2 Government-to-Government Consultation

The BLM consults with Indian tribes on a government-to-government basis in accordance with several authorities including NEPA, the Endangered Species Act, the NHPA, the American Indian Religious Freedom Act, and Executive Order 13175. Native American tribal consultations are being conducted in accordance with policy, and tribal concerns will be given due consideration. At this point, the BLM has met face-to-face with most of the federally recognized tribes under the authority of the Federal Land Policy and Management Act (Sec. 202[c] 9) and others. The BLM has also contacted other potential consulting

parties. Outreach has led to the exchange of information and discussion of concerns that have shaped the development of the DRECP.

Government-to-government consultation with Native American tribes is a cornerstone of effective communication, coordination, and collaboration among federal, state, and tribal governments. Federal policy, including BLM policy, contains with instructions on how to conduct government-to-government consultation. In most cases the federal government only consults on a government-to-government basis with federally recognized tribes. Federal agencies can conduct outreach with unrecognized tribes as interested parties under Section 106 of the National Historic Preservation Act (NHPA).

BLM California, and the Department of Interior have conducted numerous meetings and technical sessions with Native American tribes. BLM California initiated government-to-government meetings creating a series of opportunities and a forum for the 41 federally recognized tribes in the California desert area to engage with federal executives through the Tribal Federal Leadership Conferences. The conferences were set up to identify issues, concerns, and interests and to share information regarding any and all resources in the California desert area pertinent to renewable energy, natural and cultural resource conservation, and land use planning as part of the development of the DRECP, including alternatives. The areas discussed were the California Desert Conservation Area, Bishop Resource Management Plan, Bakersfield Resource Management Plan, and Eastern San Diego County Resource Management Plan.

Through the conferences, the Department of the Interior and the BLM, with the Bureau of Indian Affairs, specifically solicited and facilitated tribal input in to renewable energy and land use planning. Meetings were held:

- September 21, 2011
- November 11, 2011
- November 16, 2011
- February 16, 2012
- April 4, 2012
- July 18, 2012
- December 12, 2012
- February 4, 2014
- December 11, 2014
- September 23, 2015

Other federal outreach has included pre-meetings, numerous technical meetings, and individual meetings with the 41 federally recognized tribes. The conference also provided information, maps, technical assistance, presentations, access to executive-level federal management, and other specialized services. The conference goals were to solicit tribal input for the DRECP and incorporate tribal concerns into future development planning in the DRECP area. Appendix V.1, Table 1, lists the dates and methods of government-to-government communications through August 7, 2015.

To date, the BLM has invited federally recognized Indian tribes to consult on the DRECP on a government-to-government basis through formal letters and face-to-face meetings. Letters from the BLM were sent in December 2013 requesting assistance in identifying sacred sites and places of traditional religious and cultural significance that may be within the BLM's Area of Potential Effect and seeking input regarding knowledge of or concerns with historic properties that may be affected by BLM's Land Use Plan Amendments.

Meetings between BLM Field Managers and tribes typically covered a range of topics including the development of the DRECP (Appendix V.1, Table 1). Significant Indian tribe outreach for the DRECP has also occurred at the staff level. The contact at the staff level is not formal consultation, but it fosters a detailed dialogue regarding the BLM's proposal to amend land use plans and is critical to the planning process. The sharing of technical information provides much of the basis for conducting meaningful consultation between decision makers. The BLM's effort to engage in meaningful consultation with Indian tribes will proceed throughout all phases of development and implementation of any Land Use Plan Amendment.

V.4.2.1 *Section 106 Consultation*

The BLM must comply with Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. 306108, where its actions under the LUPA and DRECP have the potential to adversely affect historic properties. With respect to planning for public involvement in the Section 106 process, the November 20, 2009, Notice of Intent published in the Federal Register for the DRECP stated that the BLM would use and coordinate the NEPA commenting process to satisfy the public involvement process for Section 106 of the NHPA as provided for in 36 CFR 800.2(d)(3). The BLM now plans to use the NEPA commenting process to supplement public involvement efforts required for Section 106.

Based on the size and complexity of the undertaking, the BLM has determined that the development of a Programmatic Agreement (PA) as described at 36 C.F.R. 800.14(b) is the most appropriate manner to meet their responsibilities under Section 106 of NHPA. The BLM has notified the ACHP and the SHPO, and are currently consulting with other parties on the development of a PA for this undertaking.

V.4.2.2 *California State Historic Preservation Officer*

The BLM initiated consultation with the California State Historic Preservation Officer on Nov. 16, 2012, regarding the BLM's Section 106 responsibilities triggered by the proposal to adopt a Land Use Plan Amendment as an aspect of the multiagency DRECP. The consultation to date has focused on the BLM's Section 106 responsibilities with regard to the DRECP and what the BLM is doing to meet those responsibilities. Discussions continue regarding:

- Consulting parties
- Interested parties
- Tribes
- Identification and evaluation of historic properties (at an overview level)
- Assessment of effects of the decisions to identify Development Focus Areas, Conservation and Management Actions, right-of-way exclusion zones, corridors, etc.
- The utility and suitability of developing a new renewable energy plan amendments for the DRECP (that may or may not retain the solar plan amendments)
- The development of a Programmatic Agreement

On January 14, 2013, the SHPO provided written comments on the Description and Comparative Evaluation of Draft DRECP Alternatives distributed in December 2012. The BLM's consultation with the SHPO is not complete but will be done by the time the Record of Decision is signed.

V.4.2.3 *Advisory Council on Historic Preservation*

The BLM formally notified the Advisory Council on Historic Preservation on June 18, 2012, regarding its involvement in the DRECP. The Advisory Council on Historic Preservation confirmed to the BLM on June 29, 2012, it was interested in participating. The BLM notified the Advisory Council on Historic Preservation on August 9, 2013, that the agency was proposing to enter into a Programmatic Agreement pursuant to 36 CFR 800.14(b) to fulfill its Section 106 obligations associated with the proposed Land Use Plan Amendment. The Advisory Council on Historic Preservation confirmed on October 22, 2013, that it is participating in the process. The BLM's consultation to date has focused on its Section 106 responsibilities with regard to the DRECP and what the BLM is doing to meet those responsibilities. Discussions continue regarding:

- Consulting parties
- Interested parties

- Tribes
- Identification and evaluation of historic properties (at an overview level)
- Assessment of effects of the decisions to identify Development Focus Areas, Conservation and Management Actions, right-of-way exclusion zones, corridors, etc.
- The utility and suitability of developing a new renewable energy plan amendments for the DRECP (that may or may not retain the solar plan amendments)
- The development of a Programmatic Agreement

The BLM's consultation with the Advisory Council on Historic Preservation is not complete but will be done by the time the Record of Decision is signed.

V.4.2.4 *Programmatic Agreement*

The BLM is developing a PA that will address potential effects associated with adopting a land use plan amendment (LUPA) regarding possible siting for future utility scale renewable energy projects on BLM land. Approximately 350 invitations were sent to potential consulting parties, including neighboring Federal and State agencies, Indian tribes, county and city government representatives, renewable energy industry groups, archaeological and historic societies, local museums, and other groups that may have an interest in historic preservation as it relates to the DRECP. These invitees have demonstrated interest in the Section 106 process, the DRECP, and renewable energy development in the California Desert. In this PA BLM intends to further refine the approach of the Solar PEIS and Solar PA on lands administered by the BLM within the boundaries of the LUPA Decision Area by amending the Solar PEIS through its land use planning process and replacing the Solar PA with a PA that accommodates all renewable energy production and transmission right of way authorizations and portions of connected actions.

To facilitate the development of this PA, the BLM held two kick-off meetings in Ridgecrest on February 17, 2015 and in Palm Springs on February 19, 2015. At these meetings, BLM described the DRECP, the Section 106 process, the role of consulting parties, the development of the PA, and solicited working group members to help write the text of the PA.

Four Working Group meetings were held at BLM Field Offices on May 7, 2015 (Barstow), May 28, 2015 (Needles), June 25, 2015 (Bishop), and July 16, 2015 (El Centro). Between 30 and 40 people attended each meeting either in person or by telephone. Working Group Participants included staff from the Advisory Council on Historic Preservation, staff from the California State Historic Preservation Officer, Federally recognized tribes, tribal organizations, federal, state, and local agencies, energy industry representatives, archaeological organizations, and other groups and individuals with demonstrated interest or specific knowledge of or concerns about historic properties. Key aspects of the PA

include: 1) cultural resource sensitivity analyses to inform siting decisions and to start project specific discussions early between consulting parties, 2) a scientific peer review process, 3) a cultural resources training program, and 4) a regional compensatory mitigation program addressing cumulative impacts

After developing and discussing four versions of the working draft with the working group, a full draft PA was completed and sent to all consulting parties on August 7, 2015 for their review and comment. A Consulting Party Meeting regarding the draft PA was held in late August 2015 To accommodate the number of consulting parties and the large size of the Plan Area, BLM held two identical meetings: one in Ridgecrest on August 25, 2015, and in Palm Springs on August 27, 2015.

The revised draft PA will take into account input received on the draft and will be completed and sent to prior to a final Consulting Party Meeting on the revised draft PA planned for October 14, 2015 in Palm Springs. BLM anticipates completing and signing the PA in November or December of 2015 before the ROD. The most recent version of the PA is available online at www.drecp.org.

V.4.3 U.S. Fish and Wildlife Service Consultation

As a part of this planning effort and in implementing on-the-ground activities, BLM consults with the USFWS under Section 7 of the Endangered Species Act (ESA; Interagency Consultation). In 2001, BLM and USFWS finalized a consultation agreement to establish an effective and cooperative ESA Section 7 consultation process. The agreement defines the process, products, actions, schedule, and expectations of BLM and USFWS on project consultation.

In early 2015, the BLM coordinated with the USFWS to determine the list of species to be covered in consultation and the framework within to prepare the effects analysis for the biological assessment. The BLM prepared a Biological Assessment (BA) to determine the effect of the Proposed LUPA on all relevant listed, proposed, and candidate species, and associated critical habitat. The Biological Assessment identifies all expected environmental effects, conservation and management actions, and monitoring including analysis of all direct and indirect effects of plan decisions and any interrelated and interdependent actions. The BA was formally submitted to the USFWS on July 10, 2015. After the BA was submitted, the BLM and USFWS had a series of phone calls, emails, and meetings discussing and clarifying the BA. On August 10, 2015, the USFWS accepted the BA as sufficient to initiate consultation. The Bureau and the Service expect to continue to coordinate closely during the consultation period.

After review of the BA, the USFWS will issue a Biological Opinion (BO) on the plan, as a result of the consultation process. The BO is the determination of the USFWS on the

probability of the Proposed LUPA to pose jeopardy to listed species and/or destruction or adverse modification of designated critical habitat. The BO can include conservation recommendations to minimize or avoid possible adverse effects on listed species or their critical habitat. As this plan's decisions are implemented, actions determined through environmental analysis to potentially affect species listed or candidate species for listing under ESA will initiate more site-specific consultation on those actions.

**Table V-2
DRECP Meetings**

Date	Meeting Title and Topics
March 12 & 17, 2009	Implementing the Renewable Energy Executive Order: Facilitating Renewable Energy Development and Natural Resource Conservation Planning
June 18, 2009	Implementation of the DRECP <ul style="list-style-type: none"> • California Essential Habitat Connectivity Project • Coordination and Participation • Renewable Energy in California: Implementing the Governor's Renewable Energy Executive Order
October 13, 2009	Draft Best Management Practices and Guidance Manual: Desert Renewable Energy Projects <ul style="list-style-type: none"> • Best Management Practices and Guidance Manual: Desert Renewable Energy Projects • Desert Tortoise Survey Protocols • Solar Programmatic Environmental Impact Statement • Burrowing Owl and Mohave Ground Squirrel Survey Protocols
March 23, 2010	Stakeholder Meeting – Riverside <ul style="list-style-type: none"> • DRECP First Stakeholder Committee Meeting • Independent Science Advisory Process for DRECP
April 22, 2010	Independent Science Advisors Meeting <ul style="list-style-type: none"> • Land Use and Renewables in the Desert • Considerations for the DRECP • Investor-Owned Utilities Stakeholder Discussion • Providing Scientific Information and Analyses to help inform the DRECP and promote protection of desert biodiversity • Comments to the DRECP Science Advisors • Independent Science Advisory Process for DRECP • Renewable Energy in California: Implementing the Governor's Renewable Energy Executive Order • Concentrating Solar Power
May 27, 2010	Stakeholder Advisory Meeting – Sacramento <ul style="list-style-type: none"> • Coachella Valley Multiple Species HCP/National Community Conservation Plan • East Contra Costa County HCP/National Community Conservation Plan • Independent Science Advisory Process for DRECP

**Table V-2
DRECP Meetings**

Date	Meeting Title and Topics
June 9, 2010	Stakeholder Advisory Meeting – Sacramento <ul style="list-style-type: none"> • DRECP Interim Project Process
July 14, 2010	Stakeholder Meeting – Victorville <ul style="list-style-type: none"> • Acres & Watts: Considering Scale & Renewable Energy • Implementing Senate Bill X8 34 (2010): Efficient Implementation of Biological Mitigation Measures for American Recovery and Reinvestment Act Projects
August 11, 2010	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • August 2010 Update: Independent Science Advisory Process for DRECP
September 8, 2010	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Moving Forward with DRECP Conservation • Independent Science Advisors Report • Addressing DRECP Mapping Needs
October 13, 2010	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Department of Interior Initiatives • Rapid Ecoregional Assessment • Solar Programmatic Environmental Impact Statement Update • Landscape Conservation Cooperative • An Ecoregional Assessment of the Mojave Desert
November 17, 2010	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Message From the Office of the Secretary • Natural Communities, Covered Species, and Covered Activities Preliminary Description • Interim National Community Conservation Plan/HCP Process • Other Environmental and Public Health/Safety Issues Preliminary Description
January 12–13, 2011	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • DRECP area Boundary Considerations • Framework Conservation Strategy Progress • DRECP Regulatory Framework
January 27, 2011	Public Workshop <ul style="list-style-type: none"> • Cumulative Biological Impacts Framework • Mohave Ground Squirrel • Mapping Habitat Distributions of Desert Rare Plants • Population Viability and Restoration Potential for Rare Plants Near Solar Installations • Desert Tortoise Spatial Decision Support System • Desert Tortoises Habitat Suitability Models and Head-Start Techniques to Minimize Conflicts

**Table V-2
DRECP Meetings**

Date	Meeting Title and Topics
February 16, 2011	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Draft Renewable Portfolio Standard Calculator • Local Government Outreach Update
March 9, 2011	Stakeholder Committee Meeting – WebEx <ul style="list-style-type: none"> • Working Group Reports – Covered Activities, Covered Species, Resource Mapping, Cultural Resources • Other Nonbiological Issues Preliminary Description • Gap Analysis Tutorial • Biological Goals and Objectives Tutorial
April 13, 2011	Stakeholder Committee Meeting – WebEx <ul style="list-style-type: none"> • Working Group Reports – Covered Activities, Covered Species, Resource Mapping, Cultural Resources • DRECP Framework Conservation Strategy – Outline and Schedule • DRECP Effects Analysis and Species Modeling Approach Tutorials
May 17–18, 2011	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Amount of Renewable Energy Needed in the DRECP Planning Area • Future Field Visit(s) to Potential Development Areas • Long-term Monitoring Project by BLM and the Department of Energy • Case Studies Of Possible Permitting Scenarios With and Without the DRECP National Community Conservation Plan/HCP
June 16-17, 2011	Field Visit Tour Potential Renewable Energy Development Areas
July 13, 2011	Stakeholder Committee Meeting – WebEx <ul style="list-style-type: none"> • DRECP Renewable Energy Calculator and the Amount of Renewable Energy That May Be Needed in the DRECP Planning Area • Progress Report on Preliminary Conservation Strategy • Covered Species Tutorial
July 20, 2011	Field Visit Tour Potential Renewable Energy Development Areas
August 17, 2011	Public Meeting – Ontario <ul style="list-style-type: none"> • DRECP Renewable Energy Calculator Update • Modeling of Effects and Mitigation Analyses for Solar Development and the Mojave Desert Tortoise • Update on Mohave Ground Squirrel Field Studies • Electric Transmission Line Permitting

**Table V-2
DRECP Meetings**

Date	Meeting Title and Topics
October 12, 2011	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Renewable Energy Transmission Interconnection Potential • DRECP Renewable Energy Calculator And Development Planning • Draft Preliminary Conservation Strategy Maps and Methods/Approaches • Progress Report On Local Government Outreach • DRECP Tribal Summit Report • DRECP National Community Conservation Plan/HCP Alternatives
October 21, 2011	Field Visit Tour Potential Renewable Energy Development Areas
November 9, 2011	Stakeholder Committee Meeting –WebEx <ul style="list-style-type: none"> • Solar Programmatic Environmental Impact Statement Update • DRECP Development Planning Update • Geothermal Energy Potential and Permitting • Overview and Summary of the DRECP Preliminary Conservation Strategy Report And Associated Maps
November 21, 2011	Joint Working Group Meeting – WebEx <ul style="list-style-type: none"> • DRECP Transmission Planning and Permitting
November 28, 2011	Joint Working Group Meeting – WebEx <ul style="list-style-type: none"> • Wind and Solar Industry Presentations
December 5, 2011	Joint Working Group Meeting <ul style="list-style-type: none"> • 2040 and 2050 Acreage Needs for Renewable Generation • Renewable Portfolio Standard and Acreage Calculator
December 14–15, 2011	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • DRECP Goals and Objectives • Transmission Planning Panel • Breakout Sessions: Industry and Utilities, Land Use, Natural Resources, and Outdoor Recreation
January 18, 2012	Stakeholder Committee Meeting – Sacramento <ul style="list-style-type: none"> • Transmission Planning Update • Overarching DRECP Planning Goals • Biological Goals and Objectives
February 9–10, 2012	Transmission Technical Group Meeting <ul style="list-style-type: none"> • Imperial Irrigation District Transmission Plan Input • Los Angeles Department of Water and Power Transmission Plan Input • Potential PG&E Northern California Transmission Additions • Southern California Edison Transmission Line Components
February 15, 2012	Phasing Proposal Meeting <ul style="list-style-type: none"> • DRECP Phasing Non-Governmental Organizations • Presentation on CEC Staff Forecast Model for DRECP • Analysis of the CEC-DRECP Spreadsheet Model and Scenarios

**Table V-2
DRECP Meetings**

Date	Meeting Title and Topics
February 17, 2012	Transmission Technical Group Meeting <ul style="list-style-type: none"> • Los Angeles Department of Water and Power Transmission Plan • Southern California Edison Potential Transmission Corridors and Draft Transmission Plan
February 24, 2012	Stakeholder Working Session <ul style="list-style-type: none"> • Marxan and Post-Marxan Analysis
March 14, 2012	Stakeholder Committee Meeting – Sacramento <ul style="list-style-type: none"> • CalWEA Refined Wind Energy Proposal • Renewable Energy Assumptions (Acres and Megawatts) for DRECP • Transmission Planning Update and Discussion
March 28, 2012	Biological Goals and Objectives Workshop – Sacramento <ul style="list-style-type: none"> • Conceptual Model Approach, Draft Plan-Wide Biological Goals and Objectives, and Integration With Reserve Design • Biological Goals and Objectives Development, Report, and Next Steps
April 25–26, 2012	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Department of Defense Operations in California Deserts • Electric Transmission Planning Overview and Update • Renewable Energy Policy Context and DRECP Energy Goals • Preliminary Plan-Wide Biological Reserve Design and Renewable Energy Development Scenarios • Breakout Sessions: DRECP Scenarios as Seen Through (1) Conceptual Electric Transmission Planning; (2) Preliminary Biological Goals and Objectives and Reserve Design; (3) Land Uses; (4) Renewable Energy Development Scenarios
May 16, 2012	Technical Workshop – Sacramento <ul style="list-style-type: none"> • DRECP Climate Change, Monitoring, and Adaptive Management
June 21, 2012	Stakeholder Committee Meeting – WebEx <ul style="list-style-type: none"> • Western Mojave Least Environmental Conflict Assessment
June 26, 2012	Independent Science Panel Public Meeting – Riverside <ul style="list-style-type: none"> • Reserve Design • Climate Change Adaptation • Species Distribution Modeling • Monitoring and Adaptive Management • Conservation Planning Process
Jul 13, 2012	Energy Roundtable Discussion – Sacramento <ul style="list-style-type: none"> • Economic Value of Variable Generation • Energy and Infrastructure Implications of the DRECP • Geothermal Development • Renewable Electricity Futures

**Table V-2
DRECP Meetings**

Date	Meeting Title and Topics
July 25–26, 2012	Stakeholder Committee Meeting – Ontario <ul style="list-style-type: none"> • Overview and Discussion of DRECP Alternatives • Department of Defense Analysis of DRECP Alternatives • Discussion With David J. Hayes, Deputy Secretary of the Interior
September 5, 2012	Technical Group Meeting <ul style="list-style-type: none"> • Renewable Energy Gigawatt-Hour Calculation • California Department of Defense Facilities’ Renewable Generation • Development Focus Areas and Alternatives • Transmission Plan Development
September 24, 2012	Public Workshop – Sacramento <ul style="list-style-type: none"> • Governance Principles for a Habitat Conservation Plan/Natural Community Conservation Plan
January 9, 2013	Public Meeting – Sacramento <ul style="list-style-type: none"> • Description and Comparative Evaluation of Draft DRECP Alternatives • Overview of the Transmission Technical Group’s Transmission Report • Incorporating Ongoing Science and Biological Information into the DRECP • Golden Eagle Framework
October 18, 2013	Staff Meeting – WebEx <ul style="list-style-type: none"> • Overview of DRECP Gateway Powered by Data Basin • Conservation Elements – Species • Terrestrial Landscape Intactness • Integrating Biological Goals and Objectives and Conservation and Management Actions • Climate Change – Futures, Refugia, and Velocity
November 21, 2013	Staff Meeting – WebEx <ul style="list-style-type: none"> • Overview of DRECP Gateway Powered by Data Basin • Draft Covered Species Models • Datasets for Linkages, Connectivity, and Land Cover • Terrestrial Intactness and its Logic Model
January 23, 2014	WebEx <ul style="list-style-type: none"> • Terrestrial Landscape Intactness and Logic Modeling Software

Presentations and meeting materials are available at: <http://www.drecp.org/meetings/>